

BOARD OF FORESTRY AND FIRE PROTECTION

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**BOARD OF FORESTRY AND FIRE PROTECTION MEETING
REDDING, CALIFORNIA
SEPTEMBER 14, 2006**

MINUTES

BOARD MEMBERS PRESENT

Stan Dixon, Chairman
Gary Rynearson
Jim Ostrowski
David Nawi
Pam Giacomini
Bruce Saito
Mark Bosetti

MEMBERS ABSENT

Kirk Marckwald, Vice Chair

BOARD STAFF

George Gentry, Executive Officer
Eric Huff, Executive Officer, Foresters Licensing
Chris Zimny, Regulations Coordinator
Carol Horn, Executive Assistant
Laura Alarcon-Stalians, Staff Services Analyst

DEPARTMENT STAFF

Ken McLean, Deputy Director, Fire Protection
Crawford Tuttle, Chief Deputy Director
Del Walters, Assistant Chief Northern Operations
Duane Shintaku, Asst. Deputy Director
Dennis Hall, Staff Chief Bill Stewart, Asst. Deputy Director
Russ Henly, Asst. Deputy Director

CALL TO ORDER

Chairman Dixon called the Board of Forestry and Fire Protection to order.

ADJOURN TO EXECUTIVE SESSION

RECONVENE REGULAR SESSION

ANNOUNCEMENT OF ACTIONS TAKEN IN EXECUTIVE SESSION

Chairman Dixon asked PFEC Executive Officer Eric Huff to report on an action taken during Executive Session. Mr. Huff said that due to non-compliance with the terms of the disciplinary action imposed on RPF Scott Feller, RPF #1950, the Board directed that a petition for revocation be prepared.

APPROVAL OF MINUTES FROM JULY AND AUGUST 2006

Chairman Dixon said the August minutes will be held over for approval at the October Board Meeting. Chairman Dixon asked for a motion on the July minutes.

09-14-04: Member Nawi made a motion to approve the July minutes. Members Giacomini and Ostrowski had some minor changes they will give to the Executive Assistant for inclusion. Member Rynearson seconded the motion. All in favor.

CONSENT CALENDAR

Nothing to report.

REPORT OF THE CHAIRMAN.

Chairman Dixon thanked the Department for the field trip yesterday. Chairman Dixon represented the Board of Forestry at a memorial ceremony in Visalia on Tuesday for the two occupants of the CDF aircraft that crashed. They were Rod Stone, a Battalion Chief and Les Willit, the pilot under contract for CDF. Chairman Dixon said ceremony was a great tribute to both men. Director Grijalva asked Chairman Dixon if the Board would consider dedicating two live trees somewhere close to the crash site in memory of the two men. Chairman Dixon told Director Grijalva he would ask the Board to do that. Chairman Dixon asked the Executive Officer to be the liaison with Chief Hillman on that process and bring back two resolutions for the Board to adopt at the next meeting.

REPORT OF THE DIRECTOR/DEPARTMENT.

Chief Deputy Director Crawford Tuttle introduced Ken McLean, Deputy Director for Fire Protection and Del Walters, Assistant Northern Operations Chief.

Chief Walters gave an update on the fire situation in California. Mr. Walters reported that CDF provided out-of-state response to Washington, Oregon, Nevada, Georgia, and Montana. Half Moon Bay, Point Montara, and Pacific are interested in contracting with CDF for fire protection services. Chief Walters said Volunteer Fire Assistance letters for grants were mailed out to successful applicants last week.

Mr. Tuttle said the inversion situation is a top tier item on the Director's list, and they have been having discussions with top officials, and they are optimistic that the right solution will be

forthcoming very soon. Mr. Crawford said CDF joined the California Climate Action Registry this summer, and one of the obligations for membership to the Registry is reporting the Department's greenhouse gas issues. The first reporting year will be 2004. CDF is participating in interagency discussions about the development of a roadmap of bio-energy and bio-based products throughout the United States. Mr. Tuttle said the department will work with Chairman Dixon on dedicating two trees near the site of the downed aircraft in memory of the two deceased men.

REPORT OF THE CALIFORNIA OAK MORTALITY TASK FORCE (COMTF)

No report given. A copy of the COMTF report was included in the Board's folders.

REPORT OF BOARD'S ADVISORY COMMITTEES

Range Management Advisory Committee

No report given. An update on RMAC was included in the Board's folders.

Monitoring Study Group

Executive Officer Gentry said an update on the MSG is in the Board's folders. The MSG met on September 7th at the Howard Forest Training Center. At the MSG meeting, it was suggested that a BOF MSG subcommittee should be established to determine the types of agency monitoring that are most effective and meaningful based on the past 10-15 years of monitoring experience. MSG is requesting that the Board give them direction to form a subcommittee.

09-14-10: Member Nawi moved to authorize the formation of a subcommittee as recommended. Member Ostrowski seconded. All in favor.

Professional Foresters Examining Committee

Mr. Eric Huff, Executive Officer for Foresters Licensing, requested Board Action for:

Reinstatement from Withdrawal Status
Voluntary Relinquishment

RPF #2739, Dawne Hirt
RPF #893, John Specht

09-14-10: Member Ryneerson moved to approve the PFEC requests. Member Ostrowski seconded the motion. All in favor

Mr. Huff wished to note the passing of Dr. Paul J. Zinke, RPF No. 836.

Mr. Huff reported that the PFEC met yesterday, September 12, in Redding. The PFEC discussed the draft exam, and found that the exam was appropriate and well written. The PFEC also discussed the Board proposed "Policy Statement for Professional Foresters Registration on the Practice of Forestry as it Relates to Other Professions". The draft policy

statement is included in the Board binder. There are four tenants of the Policy Statement. Nine of the policies sunsetted in 2004. Mr. Huff will ask that the nine policies that sunsetted be readopted and include the latest Policy Statement as part of the package. Mr. Huff will be asking the Board for formal adoption in November. It will be important for the PFEC to do outreach to local organizations. The PFEC intends to provide the guidance document to local fire departments in 41 counties. Mr. Huff asked for comments prior to November.

REPORT OF THE UNITED STATES FOREST SERVICE

Mr. Tom Tidwell, Deputy Regional Forester, Pacific Southwest Region gave an update on the fires and staffing levels. The USFS received the same funding to spend on preparedness as they have had for the last two years. The Forest Service is balancing resources. The USFS have fewer resources this year. The USFS struggles with staffing, because most of their promotions occur from within, at any given time 15% of their positions are vacant.

Member Ostrowski asked Mr. Tidwell if the Forest Service was taking appropriate response in dealing with the fires. Mr. Tidwell explained the Forest Service's policy on fires. Mr. Tidwell said an After-Action Review will be prepared after this year's fires.

HEARING: ASPEN RESTORATION, 2006

Regulations Coordinator Zimny said today is the first hearing for potential adoption for a rule proposed on July 14, entitled "Aspen Restoration, 2006". The purpose of the rule is to provide for Aspen stands to be restored by removing competing vegetation. The proposed regulation adds aspen stands to the list of areas that can have conifer tree removal and be exempt from typical restocking standards of the Forest practice Rules. The proposal defines the term "aspen stands" to specify where the rule would apply; establishes a performance standard which must be met to ensure appropriate application of the proposed harvesting; and adds harvesting proposals descriptions and pre-harvest governmental review to ensure appropriate application. The Board received one comment letter, from CDF.

Staff Chief Dennis Hall said the Department submitted a letter on the rule package. The Department supports the proposal, and hopes the Board adopts the language of option 1 and option 2. "Option 1" is necessary to provide plan reviewers adequate information to determine the scope of the proposed operations. Without this option, small areas proposed for treatment may not be adequately represented on a map. Some areas proposed for treatment may not be large enough to delineate on a map and may end up just a point. Some RPF's may delineate the whole meadow rather than just the area being clearcut, misleading reviewers and the public. Adding this language will provide the opportunity to state the approximate acres where clearcutting to facilitate regeneration of aspen will actually occur. "Option 2" requires consultation with Department of Fish and Game when aspen are to be treated. It further requires consultation with the appropriate water board when operations are proposed which have potential to impact a beneficial use of water. This language is consistent with the requirements of Technical Rule Addendum No. 2. In assessing the potential for cumulative impacts, the RPF must consult information 'sources' that are reasonably available. Since the stated goal of the change in regulation is to

enhance wildlife habitat, DFG should be consulted. This will allow DFG and/or the water board ample opportunity within the existing process to evaluate the proposal, provide input into the planning process, and weigh the balance between aspen restoration and other critical resource values in the areas. The changes will provide landowners the ability to restore valuable natural resources on their lands, benefiting all citizens. Therefore, CDF support the proposed changes.

Mr. Marty Berbach said the Department of Fish and Game fully supports the rule. Either option, or adopting both options, would meet Fish and Game's goals.

PUBLIC HEARING:

Mr. Richard Gienger concurs with CDF and DFG and supports both options.

Mr. Paul Mason, representing Sierra Club, concurs with CDF and supports including a clear map of area and consultation with Fish and Game or Water Board.

Mr. John Kessler, representing the Society of American Foresters supports Option 1. The Department of Fish and Game and Water Boards are already notified when a plan comes in.

09-14-12: Member Bosetti moved to close the public hearing. Member Nawi seconded the motion. All in favor.

09-14-12: Member Nawi made a motion that the Board adopt the regulations with Options 1 and 2 and the grammatical changes suggested by CDF, and the consultation provision. Member Ostrowski seconded the motion. The Chairman asked for a roll call vote.

Bosetti	Aye	Rynearson	Aye
Nawi	Aye	Giacomini	Aye
Ostrowski	Aye	Saito	Aye
Dixon	Aye		

HEARING: ROAD MANAGEMENT PLAN, 2006

Regulations Coordinator Chris Zimny announced that this is the initial 45-day hearing for the regulation entitled, "Road Management Plan, 2006", which was noticed on July 28, 2006. It proposed changes to the Forest Practice Rules for development of a Road Management Plan as a long-term supplement to the timber harvesting plan process. The Road Management Plan would address long-term road and transportation issues on a landscape basis. It promotes consultation with agencies to make a landowner's intentions clear to the reviewing agencies. This regulation has been before the Board with various versions at various times. This latest version has two significant changes to it. One is that this is a supplement to a THP. Second, some significant additions were made in response to previous public comments providing clarity and standards for evaluation and assessment components. Mr. Zimny said 3 letters were received for public comment.

Mr. Dennis Hall, CDF, submitted a letter on September 11. The letter includes about 27 separate comments primarily addressing clarity of the proposal. Mr. Hall thanked Board

staff and Committee Members for incorporating many of CDF's previous comments into this proposal. Mr. Hall addressed a few items he felt needed to be clarified. Mr. Hall did not use the options in the package, he created another option.

Member Ryneerson expressed his concern that the Board, agencies and public have not had a chance to review the letter from the Department. Most of the changes are clarification items, with the exception of Item #20. One option after the Board hears testimony is to direct Board staff to incorporate the changes into the document. If the Board supports the inclusion of these into a Management Plan, there should be a 15-day notice.

Chairman Dixon asked for comment from Fish and Game. Mr. Marty Berbach said he did not have a lot of comments on this package. Mr. Berbach said this fits into the 2112 regulations. Mr. Berbach said there is nothing here to preclude moving forward with the 15-day notice if the Board so chooses. Mr. Berbach likes the comments contained in the CDF letter and likes the recommendation under comment #20 on page 5. Mr. Berbach supports CDF's comments.

Ms. Angela Wilson, Central Valley Regional Water Quality Control Board, said she had not had an opportunity to review the options as they are put forth. Ms. Wilson supported the idea of a little more time for review

PUBLIC HEARING

Mr. Paul Mason, representing the Sierra Club, urged the Board not to rush the process forward. He believes fundamentally it is a good idea, but it needs more time. Mr. Mason recommended sending the package back to Committee for more discussion.

Mr. Richard Gienger said the Road Management package in its current form is too vague. He said the Board needs a Road Management Plan that stands on its own. Mr. Gienger urged the Board to send the package back to Committee.

Mr. Peter Ribar, Campbell Timberland Management, urged the Board to move forward with a 15 day notice.

09-14-13: Member Ryneerson made a motion that the Board work with CDF to reformat a 15-day notice. Member Giacomini seconded the motion.

Member Giacomini felt the Board made progress in creating a venue for landowners that can work on components of the Road Management Plan. This will be an ongoing issue, and they can work on it in a proactive manner.

Chairman Dixon said he had a question for the Regulations Coordinator about timeframe due to the fact that the public registered some concern about it, as well as other agencies.

Regulations Coordinator Zimny said the Board would require a 15-day notice. For this rule to go through the regular routine of filing and approval, it would have to be noticed on Monday, September 18.

Member Nawi asked what the effect would be of a road management plan. Member Nawi asked Mr. Hall if his suggested language was limited to impacts of roads and not an across the board cumulative impact.

Mr. Hall said it was his understanding that the rule package was intended to look at the road transportation system proposed for logging operations in a Road Management Assessment Area, and then consider the impacts to resources from those activities. Mr. Hall doesn't envision a Road Management Plan extending beyond the activities related to road construction.

Member Rynearson suggested stating that the RPF has adequately addressed the factors related to roads and their construction, maintenance, and use, because that is what the Road Management Plan is addressing. If the RPF has adequately addressed all those issues, that is the whole purpose of the Road Management Plan. The Plan takes road-related impacts, rather than a THP by THP or an appurtenant road basis, it puts in a plan of road management for the entire ownership. During THP review, if it is determined to be inadequate then the RPF has to further address it specifically in the Road Management Plan.

Member Nawi said he didn't want to delay the package, but he was concerned that the Board and the public have not considered the comments from the Department. Member Nawi is concerned that the Board cannot provide direction on how to address the comments from the Department and other agencies.

Mr. Hall said one thing that is true of this package is that in conducting a cumulative effects assessment of the transportation system, you would not be completing a cumulative effects analysis that may reveal additional impacts associated with the types of harvesting or silvicultural methods that would have to be considered along with it. You would only be getting a small piece of the cumulative impacts assessment by looking at roads, but you would have to consider past, present, and future uses and the potential accumulative effects associated with those uses and the transportation system in order to adequately address the impacts from the road.

Member Ostrowski asked if there had been any attempt to take this approach and apply it for example, to Latour State Forest. They would already have a fairly good inventory of the road system, timber harvesting plans being filed, T/I watersheds, water quality concerns. Member Ostrowski asked if a compiled application of this rule would be appropriate.

Mr. Russ Henly said Latour State Forest has a baseline road management plan, and they are currently working on THPs which involve some of the appurtenant roads that the Board was on yesterday. Mr. Henly spoke with Angela about doing some monitoring on some of the roads.

Chairman Dixon liked Member Ostrowski's idea. However he doesn't support the motion as it is or the fact that Mr. Zimny would have to put out a 15-day notice by the close of business tomorrow without knowing who wants to comment on it. Chairman Dixon felt if the package went back to Committee one more time, they may be able to resolve the issues.

Member Nawi supported Chairman Dixon's comments, and would like the Road Management Plan to go back to Committee to consider comments.

09-14-13: Member Rynearson modified his motion to recommend that this go back to Committee in October, and specifically that staff contact the Central Valley and North Coast State Boards seeking comment on the draft, and consideration of CDF comments, with the goal of preparing a 15-day notice at the October meeting. Member Giacomini seconded the motion. All in favor.

09-14-13: Member Bosetti moved to close the public hearing. Member Rynearson seconded the motion. All in favor.

HEARING: *THE CHANGING CALIFORNIA* - PRESENTATION ON THE BOARD'S DRAFT POLICY STATEMENT

Executive Officer Gentry said for the past two years, he has worked on the Policy Statement for the Board. The draft policy statement is on the Board's website. The Executive Officer read the Executive Summary from the Draft Policy Statement. Hearings for the Draft Policy Statement were held in Redding, San Bernardino, and Sacramento. Approximately 7,000 notifications were sent out to the media, Senate, Assembly, and the normal mailing list.

Mr. Richard Gienger was pleased with the progress, but he didn't feel that specific emphasis was put on water or fisheries.

Mr. Bill Keye, representing California Licensed Foresters Association, said CLFA is extremely interested in this important document, and are looking forward to its completion.

Mr. Steve Horner, representing Barnum Timber Company voiced his support for the acknowledgement in the Policy Statement of economics in the forest sector. Mr. Barnum distributed a graph to board. He said land prices are too high and regulations too stiff to warrant investment in growing forests and trees.

Executive Officer Gentry said another hearing on the Board's draft Policy Statement will be held in November, after which the Executive Officer will put out another draft.

Member Nawi thanked the Executive Officer for putting the Policy Statement together. Member Nawi also thanked Mr. Bill Keye and Mr. Pete Ribar, who sat through all committee meetings and provided helpful and substantive suggestions. Member Nawi also thanked Mr. Richard Gienger and said he supports Mr. Gienger suggestions on salmonid protections and cooperation/coordination with other agencies.

UPDATE ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR JACKSON DEMONSTRATION STATE FOREST (JDSF) DRAFT MANAGEMENT PLAN

Mr. Bill Stewart gave a presentation entitled, "A BOF Mission-Driven Alternative for JDSF". A copy of Mr. Stewart's presentation is in the Board Binder.

A small group in Mendocino County has been meeting with a facilitator to determine what aspects of the Management Plan they can come to consensus on. This group is made up of

Bruce Burton, Art Harwood, Vince Taylor, Kathy Bailey, Mike Jani, and Mike Anderson. The entire group understands the importance of getting JDSF back under management. Their goal is to help the Board understand the local perspective on the management of the forest. They attached to their letter the "Management Principles" the group reached consensus on.

Member Rynearson read through the changes and is pleased with the new direction, and it will not constitute re-noticing. Member Rynearson believes this new alternative encompasses a lot of the issues raised in the letter from the Mendocino Group. In the past, Member Rynearson doesn't believe the public was involved as much as they should have been.

Mr. Henly said it will take about two months to develop a new management plan. Mr. Henly asked for some direction from the Board.

Member Nawi said the appropriate thing to do at this point, if the Board is so inclined, is to give direction to the Board and staff to continue to work on the approach Mr. Stewart outlined and also to work with Mr. Henly on moving forward to completion of DEIR. Member Nawi said that this would in fact be developing a new alternative for the Board to consider. It would essentially replace the initial preferred alternative, which is fine because the Board by giving this direction would by no means be getting final sign-on and would not be pre-decisional. Member Nawi requested that the Board provide that direction to Member Rynearson and himself and to CDF staff. Additionally, the letter from the "Mendocino Group" does ask for a response. Two questions come up, "Is this of value to the Board", and if so, "what level of specificity is appropriate?". Member Nawi proposed that Mr. Stewart and staff reply to that letter indicating that CDF and Board encourage them to continue working cooperatively and to provide additional comments on the subjects they have identified and that the letter go in draft form to Member Rynearson and Member Nawi prior to issuance. One other point Member Nawi would like to make terms of the proposal of the issue citizen participation in context of the JDSF Management Plan, Member Nawi believes that a citizen advisory group would be extremely helpful for two reasons. One reason a citizen's advisory group would go a long way to avoid controversy. Second, to the extent there will be adaptive management elements included to make implementation of the plan, Member Nawi thinks that having a citizens advisory group input into those decisions would be extremely helpful in dispelling the potential mistrust that could occur. Member Nawi also thinks that consideration should be given to a technical scientific advisory to advise CDF on selection of research proposals. Member Nawi hopes to bring this back to the Board for potential action in a two months

Chairman Dixon supports this process and the direction it is taking.

PUBLIC COMMENT

Mr. Paul Mason, representing the Sierra Club, said the Board's questions addressed his concerns. Mr. Mason believes this is a step in the right direction

UPDATE BY THE DEPARTMENTS (CDF AND DFG) ON COHO/FISH AND GAME CODE §2112 REGULATIONS

Mr. Duane Shintaku said he had very little to report today. Mr. Shintaku attended a workshop on the 30th, and has met with one stakeholder group.

Mr. Marty Berbach, Department of Fish and Game, said they are also meeting with stakeholders. DFG will take the comments they received and incorporate changes into the existing text. The goal is to have this done by the October Board meeting, and to illustrate a self-certification process relying on the Forest Practice Rules. Another goal is to follow CEQA concurrently with the Board and DFG process as well as the Administrative Procedures Act with Public Hearings in response to comments. Mr. Berbach hopes to have the package in advance to the Board and have it posted on their website.

Chairman Dixon supports DFG's proposal. Chairman Dixon would like the Board to look at how they pursue the larger a 4d or HCP, given Secretary Chrisman's request.

Member Nawi said the goal would be to provide through the Forest Practice Rules the substance of meeting the requirements of an incidental take permit under the Fish and Game Code through self-certification process relying on Forest Practice Rules and the process will also cover CEQA for compliance.

Mr. Shintaku said there are concerns as to how the 2112 package is related to T/I literature review, and how to address THP situations which will not result in a take.

PUBLIC COMMENT

Mr. Richard Gienger hopes there will be something for monitoring adaptive management in the package.

REPORT OF FOREST PRACTICE COMMITTEE

Chairman Nawi reported the Forest Practice Committee had a good discussion on "Consideration of Threatened or Impaired Watershed Regulations, Discussion of Process and Timing of Board Literature review. The Board approved a Technical Advisory Committee consisting of 6 to 11 members, 5 to be agency representatives; and up to 6 or 7 to be NGO nominees.

The five agency representatives the Committee would like the Board to appoint are:

Charlotte Ambrose, National Marine Fisheries
Marty Berbach, Department of Fish and Game
Pete Cafferata, CDF
Gaylon Lee, State Water Board
Michael Wopat, California Geologic Survey

The seven NGO nominees the Committee would like the Board to appoint are:

Ken Cummins, Humboldt State University
Brian Dietterick, CalPoly State University
Cajun James, Sierra Pacific Industries
Sari Sommarstrom
Kate Sullivan, Pacific Lumber Company
Bill Trush, McBain & Trush, Inc

Gary Nakamura, University of California Cooperative Extension, Chair

The Committee discussed funding issue. Chief Deputy Director Crawford Tuttle said \$50,000 will be available for a consultant to carry out literature review. Proposed charter and draft scope of work for committee were included in the Board binder. Comments can be provided to Chris Zimny by September 20. Members Ostrowski and Nawi will draft to the Technical Advisory Committee potentials. Member Nawi hopes the will go out next Friday, so that the TEC can meet as soon as possible.

09-14-FPC: Member Nawi requested Board approval for the 11-person Technical Advisory Committee, with the addition of Gary Nakamura as Chair. Member Ostrowski seconded the motion. All in favor.

09-14-FPC: Member Nawi moved that the charter for the TEC be released one week from tomorrow after approval from Member Ostrowski and Member Nawi for consideration of comments received by Mr. Zimny by close of business September 20. Member Nawi asked Board Members to review the charter. It frames the Technical Advisory Committee and frames what the Board will get them. Member Giacomini seconded the motion. All in favor.

Member Nawi requested the Executive Officer work with Board Counsel in consideration of the charter for the Technical Advisory Committee to determine coverage under the Bagley Keene Act.

The Committee also discussed the Watercourse Rules Streamlining proposal. In July, the Board approved certain changes in the CLFA Streamline Proposal that were the subject of a 15-day notice. The CLFA Proposal was objected to by Department of Fish and Game. Based on the discussions in Committee, the CLFA representative agreed to drop lines 12-23 of Subsection F, Page 5. Member Nawi said with that deletion, all that needs to be done is be sure the numbering is correct, and have Mr. Zimny go ahead with the 15-day notice.

09-14-RPC: Member Nawi moved that the Board go forward with a 15-day notice for the CLFA Streamlining Package with the removal of the option for fabrication of T&I streams. Member Giacomini seconded the motion. All were in favor.

POLICY COMMITTEE

Member Ostrowski reported the Committee received an update on "A Roadmap for the Development of Biomass in California", and on the development of Urban Forestry Protocols for the Climate Registry from Doug Wickizer.

The Committee discussed the Monitoring Study Group Strategic Plan. The draft MSG Plan is on the Board's website, and comments are welcome. They discussed the organization of the Board and how input is developed from its subcommittees. The development of a permanent science review panel is being considered.

Agenda item #3 - discussion and review of CDF reporting and evaluation of Forest Practice Rules (MOU) was deferred to next month.

The Committee discussed the proposal for Forest Practice Monitoring. The Committee will continue discussing and then make a recommendation to the Board. The Committee reviewed a draft compiled by Mr. Pete Cafferata on monitoring programs.

The Committee has not done any substantive work on the Draft Joint Policy on Salmon with the Fish and Game Commission.

MANAGEMENT COMMITTEE

Member Ryneanson said the Management Committee met on Tuesday. Key topics included discussions on the PTEIRs and SYPs, and a report from Mendocino Redwood Company on the status of the PTEIR that Mendocino Redwood Company is considering. One issue discussed was the effect of new rules changes on the PTEIR.

Mendocino Redwood Company recently submitted a letter asking what happens when rules change, and how does that affect the PTEIR. The letter is included in the Board binder. A response was drafted by Board Counsel and Assistant Executive Officer Huff. A key issue identified in the letter is that the PTHP is measured against the PTEIR. The PTEIR is created based on the rules that were in effect. The recommendation of the Committee is to approve the letter as prepared and to forward it under the Chairman's signature to Mendocino Redwood Company, and copies to CDF, Regional Water Quality Control Boards, and Department of Fish and Game. Any time there is a rule change, a company would have to review their PTEIR to make sure that whatever mitigations they have are equal or better protection than what the new rule is to protect. The PTEIR is only good until such time that there are significant environmental impacts.

Member Nawi said he had not had time to read and digest all of the documents. Member Nawi asked if there was a new rule during the effective period of a PTEIR, what would happen. Member Ryneanson said the Committee had those discussions with Bill Synder and Giny Chandler and this is the outcome of those discussions. Member Nawi did not agree with the response to Mendocino Redwood Company. Member Nawi will abstain from voting on the motion and will have a conversation with Mr. Synder.

PUBLIC COMMENT

Mr. Richard Gienger said there is no definition for timber harvesting plan.

09-24-MGMT 1: Member Giacomini made a motion to move the letter forward to Mendocino Redwood Company with copies to CDF and review team agencies. Member Saito seconded the motion. The motion passed with a 4-0 vote with one abstention.

Member Ryneanson said SYPs and PTEIRs both have a place in the regulations and are used by landowners. As we move forward the question is "do we still need both documents, do they make sense, do we need to have legislative changes made."

The Committee also had a brief update on the SNTMP.

RESOURCE PROTECTION COMMITTEE

Mr. Chris Zimny reported the Resource Protection Committee met on Tuesday, with all members present. The first agenda item was a presentation from PG&E regarding their large, woody stem exemption for clearing around large tree stems, and changing those rules from a 4 foot clearance statutory standard to make an exception to allow 6 inch standards based on research information. The Committee asked to have some additional information before they put it out for a 45-day notice.

The second agenda item was an update on the General Plan Safety Element Review for the City of Truckee. The Truckee preliminary report was distributed to the Committee. Staff are taking comments from the local unit and the Truckee Fire Protection District. Mr. Zimny expects the report to be finalized by the October meeting and ready for potential action for the Board to approve those recommendations. Mr. Zimny said they are backing up on the general plans. They have City of Sonoma, City of Claremont, San Bernardino County, Glenn County, and a Lake County subdivision.

RPC discussed the VTP Process/Framework for policy review. The Committee reviewed updated template on the types of questions and information that they wish to request for that potential review. Jeff Stephens, CDF, did a trial run of the program review for a vegetation management program. They found that the information that can be gathered will be useful and provides information in the format the Board is looking for. Members Giacomini and Bosetti are tentatively scheduling a meeting with CDF Deputy Director McLean regarding what can be done about this and also discuss how CDF Fire Protection and other programs may assist in providing information for that review.

CDF Firefighters have introduced some discussion that they would like to have at the Board meeting on two new legislative proposals that the Firefighters have assembled. One is how SRA will be defined, and the second is to provide handcrews for the purpose of defensible space hazard reduction around homes.

RMAC received a letter of support from the Coarsegold Resource Conservation District in North Fork regarding California Rangeland Water Quality Management Plans.

REPORT OF THE REGULATIONS COORDINATOR

Regulations Coordinator Zimny said there will be a 15-day notice for CLFA Watercourse Streamlining will be in October.

REPORT OF EXECUTIVE OFFICER

Executive Officer Gentry said he will put out the draft agenda next week. At the July meeting, Mr. Gentry distributed proposed Board meeting dates for 2007, he would like input from the Board on dates and locations for next year's meetings.

PUBLIC FORUM

Mr. Paul Mason, Sierra Club, a legislative item which would have reauthorized the Forest Legacy Program failed; it will sunset January 31. Mr. Mason suggested the Board ask the administration to adopt a vision of support for the concept of the Forest Legacy Program.

Mr. Richard Gienger suggested Executive Officer Gentry to extend an invitation to Greg Blomstrom to make a presentation to the Board on Forestry vs. Development. Mr. Gienger encouraged harmonization to facilitate the 2112 regulations and to get water quality on-board.

NEW AND UNFINISHED BUSINESS

Member Nawi said the issue arose what constraints apply to board member contacts regarding the content of a proposed rule following the issuance of a 45-day notice.

Executive Officer Gentry said he requested Board Counsel Ashby to research this and bring an answer back to the Board.

ADJOURNMENT

The Board of Forestry and Fire Protection was adjourned.

Respectfully submitted,

ATTEST:

George D. Gentry
Executive Officer

Stan L. Dixon
Chairman